

**From:** [Aburvasamy, Prem](#)  
**To:** [ML-NLRB-Everyone \(R\)](#)  
**Subject:** New Agency Email Retention Policies – “Capstone” Approach  
**Date:** Friday, March 31, 2017 9:51:45 AM  
**Attachments:** [Capstone memo to Agency employees \(3-31-17\).pdf](#)

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All,

To comply with directives and guidance from the Office of Management and Budget (OMB) and the National Archives and Records Administration (NARA), the Agency must implement new email retention policies. The new policies are the result of a Presidential Memorandum (“Managing Government Records”) signed by the President on November 28, 2011, and a subsequent August 24, 2012 directive issued by OMB and NARA (M-12-18, “Managing Government Records Directive”), which requires Executive Branch Agencies to “manage both permanent and temporary email records in accessible electronic format.”

In order to comply with this directive, the Agency is implementing a “Capstone” approach for managing Agency email records, based on NARA guidance (NARA Bulletin 2013-02 “Guidance on a New Approach to Managing Email Records”). Implementation is scheduled to begin on June 1, 2017. Under the “Capstone” approach, the Agency will manage email records based on the role of the email account user and/or office rather than on the content of each email record.

Please see attached memo regarding the Agency Email Retention Policies.

Thank you.  
Prem

Prem Aburvasamy | Chief Information Officer  
National Labor Relations Board (NLRB)  
1015 Half Street SE | Washington, DC 20570  
[prem.aburvasamy@nrlb.gov](mailto:prem.aburvasamy@nrlb.gov) | 202-273-3925

UNITED STATES GOVERNMENT  
*National Labor Relations Board*



Memorandum

**Date:** March 31, 2017

**To:** All Employees

**From:** Prem Aburvasamy, Chief Information Officer  
Kenneth Williams, Records Officer  
David Gaston, Branch Chief, E-Litigation Branch

**Subject:** New Agency Email Retention Policies – “Capstone” Approach

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To comply with directives and guidance from the Office of Management and Budget (OMB) and the National Archives and Records Administration (NARA), the Agency must implement new email retention policies. The new policies are the result of a Presidential Memorandum (“Managing Government Records”) signed by the President on November 28, 2011, and a subsequent August 24, 2012 directive issued by OMB and NARA (M-12-18, “Managing Government Records Directive”), which requires Executive Branch Agencies to “manage both permanent and temporary email records in accessible electronic format.”

To comply with this directive, the Agency is implementing a “Capstone” approach for managing Agency email records, based on NARA guidance (NARA Bulletin 2013-02 “Guidance on a New Approach to Managing Email Records”). Implementation is scheduled to begin on June 1, 2017. Under the “Capstone” approach, the Agency will manage email records based on the role of the email account user and/or office rather than on the content of each email record.

Email records will be captured and managed according to user role using the following retention approach:

- a. **Email Records from Email Accounts of Designated “Capstone” Officials:** The email records from the email accounts of certain “policy makers” whose role within the Agency predominantly creates permanent records will be retained permanently. These “Capstone” Officials include the Chairman and Board members; Chief of Staff to the Chairman; the Solicitor; the Executive Secretary; Chief Counsels to Board Members; the Chief Information Officer; the General Counsel; the Deputy General Counsel; the Executive Assistant to the General Counsel; the Associate

General Counsels of Operations-Management, Advice, Enforcement-Litigation, and Legal Counsel; Associate to the General Counsel of Operations-Management; the Chief Financial Officer; and the Director of Administration.

b. **Email Records from Email Accounts of Users Not Designated as Capstone Officials:** For all other Agency email account users, identified as “non-Capstone” custodians, the “Capstone” approach will retain **all** emails for seven years. **Email records older than seven years will be deleted beginning June 1, 2017.** Email records will be deleted perpetually and on a daily basis as the seven-year mark is reached.

To the extent that users have particular emails they wish to retain as historical records, instructions from management will be distributed shortly regarding the criteria for determining which emails may be retained, as well as where those emails may be retained outside of the Agency’s email system. Other than these limited email records, “non-Capstone” custodians are instructed to not remove Agency email records from the Agency’s email system prior to policy implementation. For example, saving Agency email records beyond those which meet the criteria for longer retention to an external location negates and circumvents the effect of the new email retention policies. Non-compliance with the “Capstone” policy will require expanded searches by the Agency to fully respond to FOIA requests, Congressional inquiries, and matters in litigation, creating additional costs and legal risk. Non-compliance also exposes the Agency to legal liability and possible sanctions for failing to comply with the Agency’s published email retention standards.

These changes do not modify any obligations to upload emails to NxGen pursuant to Agency policies on that system (*see* OM 12-80 (revised), OM 13-23). The new email retention policies also do not modify records stored in NxGen, litigation holds, or any other obligations of an Agency employee to preserve emails for pending or anticipated litigation.

**From:** [Aburvasamy, Prem](#)  
**To:** [ML-NLRB-Everyone \(R\)](#)  
**Subject:** Further Guidance for New Agency Email Retention Policies – “Capstone” Approach  
**Date:** Monday, May 1, 2017 1:23:16 PM  
**Attachments:** [Capstone Instructions and attachment 5-1-17 \(003\).pdf](#)

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All,

The attached Memorandum follows up on, and provides for further guidance to, the March 31, 2017 Memorandum, entitled “New Agency Email Retention Policies – ‘Capstone’ Approach”.

For additional information – [Email Retention Policies – Capstone Approach](#)

Thank you.  
Prem

Prem Aburvasamy | Chief Information Officer  
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# Email Retention Policies - Capstone Approach

## Frequently Asked Questions (FAQ)

### 1. What is the Capstone Approach to Email Management?

Capstone is an approach to managing email. The approach was introduced by the National Archives and Records Administration (NARA) in response to the Presidential Memorandum ("Managing Government Records") issued in 2011. The Managing Government Records Memo, as defined by the subsequent Office of Management and Budget/NARA Directive M-12-18, requires all Executive Branch Agencies to manage both permanent and temporary email records electronically by 2016. NARA's Capstone approach defines email records by the role of the account user rather than the content of each individual email; emails in designated Capstone accounts will be scheduled as permanent records, all other emails are considered temporary records. As of June 1, 2017, the National Labor Relations Board (NLRB) will manage all email records using the Capstone approach. Emails will be managed in Office 365, the NLRB's enterprise email solution, to support records management and litigation requirements.

### 2. What are the benefits of the Capstone Approach?

- Reduce the burden on individual end-users within the Agency by optimizing email search and access;
- Reduce reliance on print and file practices;
- Allow for a systematic destruction of temporary email based on an approved National Archives disposition authority, thereby reducing the amount of emails superfluous to the mission of the Agency;
- Optimizes access for records subject to eDiscovery, Freedom of Information Act (FOIA) or investigative requests and preserves permanent email records for eventual transfer to NARA.

### 3. What accounts are designated as Capstone Officials?

The accounts of certain "policy makers" whose role within the Agency predominantly results in the creation of permanent records will be designated as Capstone Officials and their email retained permanently. These Capstone Officials include: the Chairman and Board Members; Chief of Staff to the Chairman; the Solicitor; the Executive Secretary; Chief Counsels to Board Members; Chief Administrative Law Judge; Deputy Chief Administrative Law Judge; Director of the Office of Representation Appeals; Director of the Office of Congressional and Public Affairs; the Chief Information Officer; the General Counsel; the Deputy General Counsel; the Executive Assistant to the General Counsel; the Associate General Counsels of Operations-Management, Advice, Enforcement-Litigation, and Legal Counsel; Deputy Associate General Counsel of Enforcement-Litigation; Associate to the General Counsel of Operations-Management; the Chief Financial Officer; the Inspector General; the Director of Administration; and the Designated Agency Ethics Official.

### 4. What messages are deleted as a result of the 7-year retention policy?

Messages "older" than 7 years are deleted from Office 365 and are unrecoverable.

### 5. Are my emails deleted as they reach the 7 year period? I am on Litigation Hold?

Litigation Hold users - messages older than 7 years are deleted "from view" but not from the system. Users can't see them or recover them. The messages are available only by eDiscovery. The change from Litigation Hold to Capstone Official does not include the visibility/user access to emails previously deleted from the user's mailbox and retained for E-Discovery needs.

### 6. Why do I not see the retention removed emails within the Recoverable Items folder within OWA? I only see messages I have deleted.

Non Capstone Officials - Messages older than 7 years that are removed by the 7 year policy and which are no longer recoverable will not appear in the recoverable items cache. Recoverable items cache size is not indefinite in time or unlimited in cache size.

### 7. I have now been identified as a Capstone Official, what can I see?

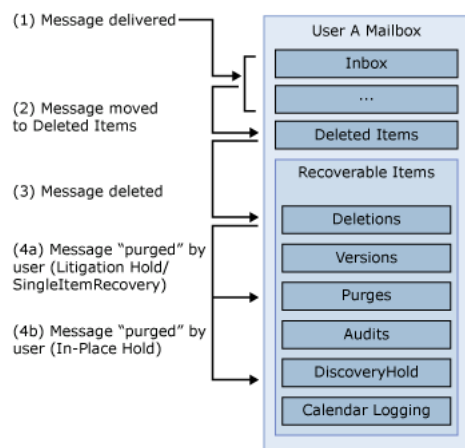
Prior retention deleted emails still exist within the system in the Recoverable Items folder but not within the Recoverable Items folder a user sees. The items are not moved back into a folder that would provide a user with the ability to restore and "see" the emails. Messages in the "Purges" folder are not user accessible unless they are still shown in the recoverable items cache. See the image below. The area that users can't see is called the Purges "

## Reference MEMOs:

- Capstone Memo to Agency Employees (3-31-17)
- Email Management Success Criteria (2016)
- Managing Government Records Directive
- General Records Schedule 6.1

## User Instructions:

- [Further Guidance for New Agency Email Retention Policies - "Capstone" Approach](#)



8. What happens to the email accounts of Non-Capstone Officials?

The Capstone approach will retain **all** emails for seven years for Agency email account users not designated as Capstone Officials. Email retention policies will be implemented on June 1, 2017. **Email records older than seven years will be deleted effective June 1, 2017.** Email records will be deleted daily perpetually as emails age beyond the seven-year retention threshold.

9. Where can I find more information on the NARA "Capstone" program?

Information about NARA Capstone can be found at <http://www.archives.gov/records-mgmt/bulletins/2013/2013-02.html> and <https://www.archives.gov/records-mgmt/email-management/capstone-training-and-resources.html>.

10. What is the NLRB guidance regarding how non-Capstone designated employees should handle any personal e-mails that they might wish to keep?

According to the Bulletin 2013-02 from the National Archives, "Agencies must determine whether end users may delete non-record, transitory, or personal email from their accounts." The Agency does not have any tools to support personal email retention. The only option is to forward the personal emails you may want to keep to a personal email account.

UNITED STATES GOVERNMENT  
*National Labor Relations Board*



**Memorandum**

**Date:** May 1, 2017

**To:** All Employees

**From:** Prem Aburvasamy, Chief Information Officer  
Kenneth Williams, Records Officer  
David Gaston, Branch Chief, E-Litigation Branch

**Subject:** Further Guidance for New Agency Email Retention Policies –  
“Capstone” Approach

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This Memorandum follows up on, and provides for further guidance to, the March 31, 2017 Memorandum, entitled “New Agency Email Retention Policies – ‘Capstone’ Approach”.

To comply with directives and guidance from the Office of Management and Budget (OMB) and the National Archives and Records Administration (NARA), the Agency is implementing a Capstone approach for managing Agency email records (see NARA Bulletin 2013-02 “Guidance on a New Approach to Managing Email Records”). Implementation is scheduled to begin on June 1, 2017. Under the Capstone approach, the Agency will manage email records based on the role of the email account user and/or office rather than on the content of each email record.

For Agency email account users not identified as Capstone custodians<sup>1</sup>, the Capstone approach will retain all emails for seven years. Email records older

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<sup>1</sup> Capstone custodians include the Chairman and Board members; Chief of Staff to the Chairman; the Solicitor; the Executive Secretary; Chief Counsels to Board Members; Chief Administrative Law Judge; Deputy Chief Administrative Law Judge; Director of the Office of Representation Appeals; Director of the Office of Congressional and Public Affairs; the Chief Information Officer; the General Counsel; the Deputy General Counsel; the Executive Assistant to the General Counsel; the Associate General Counsels of Operations-Management, Advice, Enforcement-Litigation, and Legal Counsel; Deputy Associate General Counsel of Enforcement-Litigation; Associate to the General Counsel of Operations-Management; the Chief Financial Officer; Director of Administration; the Designated Agency Ethics Official and the Inspector General.

than seven years will be deleted beginning June 1, 2017. Email records will be deleted perpetually and on a daily basis as the seven-year mark is reached.

To the extent that users have particular emails they wish to retain as historical records, these emails must be maintained outside the Agency’s enterprise email system. A SharePoint-based Email Archive Library is the designated repository for these email-based historical records. That Library will consist of three Folders labeled in SharePoint as Historical Value Case Matters, Institutional Processes–Knowledge, and Legal Research (see below for further explanation of the categories of emails).<sup>2</sup> Each Division and Branch will have its own Email Archive Library in which to upload these historical records. All historical records uploaded to the Email Archive Library will only be visible to members of that particular Division or Branch.<sup>3</sup>

To the extent that users wish to retain historical records, the recommended guidance for retention is as follows:

1. Legal Research
  - a. Documents containing information with significant legal research or reference value.
  - b. Documents containing general research unconnected to particular cases.
2. Historical Value Case Matters
  - a. Documents containing information with significant case reference value.
  - b. Documents that have sufficient historical or other value to warrant their continued preservation.
  - c. Documents showing how issues were handled in particular matters where it is foreseeable those issues may arise again.
3. Institutional Processes-Knowledge
  - a. Documents related to an office/branch's internal processes.
  - b. Documents showing how non-case matters are/were handled.

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<sup>2</sup> If an office wishes to rename these folders or create a small number of additional folders, please contact [sharepointhelp@nrlrb.gov](mailto:sharepointhelp@nrlrb.gov).

<sup>3</sup> For example, the “front office” of the Division of Legal Counsel and each Branch within that Division (the FOIA Branch, E-Litigation Branch, and Contempt, Compliance, and Special Litigation Branch) will have a designated Email Archive Library in which to upload historical email records. Historical records uploaded to a particular Email Archive Library will be visible only to the members within that Branch or office.



This guidance supplements, but does not modify, any obligation to upload emails to NxGen, JCMS, or any other Agency system (see OM 12-80 (revised), OM 13-23). The new email retention policies also do not modify any other obligations of an Agency employee to preserve emails for pending or anticipated litigation.

Instructions for uploading historical records to the Email Archive library are attached to this memo.

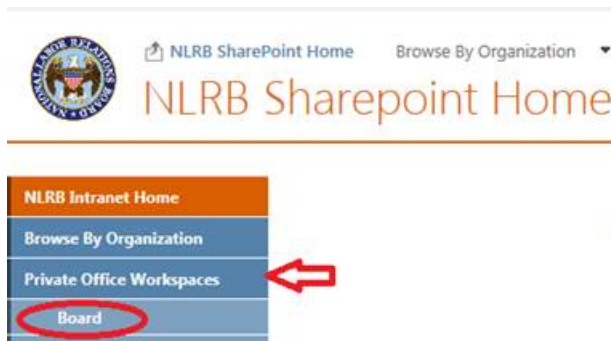
If you have any technical questions regarding Sharepoint, please contact [sharepointhelp@nlrb.gov](mailto:sharepointhelp@nlrb.gov). For other questions regarding Capstone policies, please feel free to contact the E-Litigation Branch ([david.gaston@nlrb.gov](mailto:david.gaston@nlrb.gov)) or the Division of Legal Counsel ([barbara.oneill@nlrb.gov](mailto:barbara.oneill@nlrb.gov)).

# Opening a SharePoint Library in Explorer View

The instructions that follow only work if you open SharePoint in Internet Explorer. Also, these instructions use the Division of Legal Counsel as representative, i.e., the SharePoint Home page for DLC.

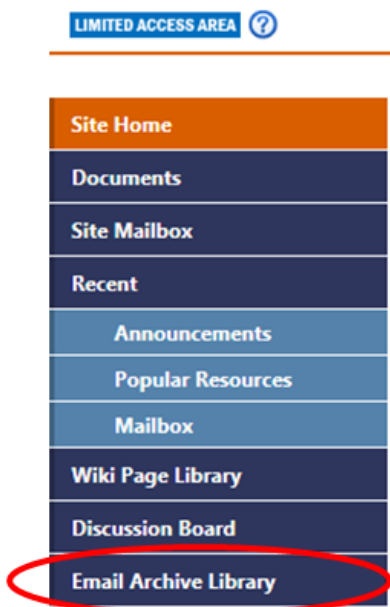
1. Open Internet Explorer and go to the NLRB Intranet site – <https://nlrb.sharepoint.com/SitePages/Home.aspx>
2. The Email Archive Libraries are found in each Office's respective **Private Office Workspace (POW)**. The POW is a site in SharePoint specifically designed for private collaboration between members of an office and will have information not open to all users of the NLRB Intranet.
  - a. You can access your Private Office Workspace from the NLRB SharePoint Intranet Home Page.
  - b. From the left side navigation, click the Private Office Workspace "drop down list" and select your respective Office.

Figure 1 Private Office Workspace



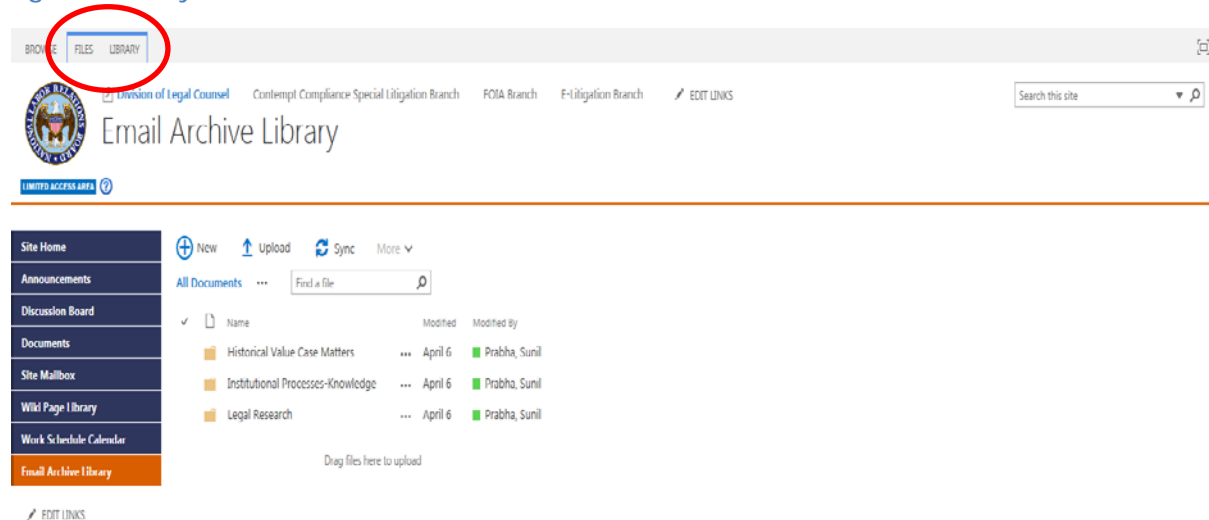
3. From the left navigation on your office's POW click Email Archive Library (Figure 2).

Figure 2. Email Archive Library



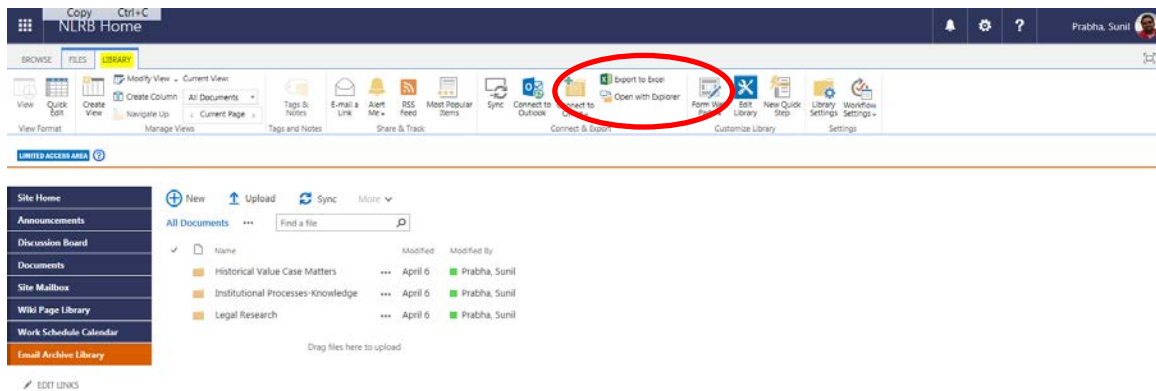
4. Select the '**Library**' tab located at the top left hand corner (see Figure 3. Library Tab).

Figure 3. Library Tab



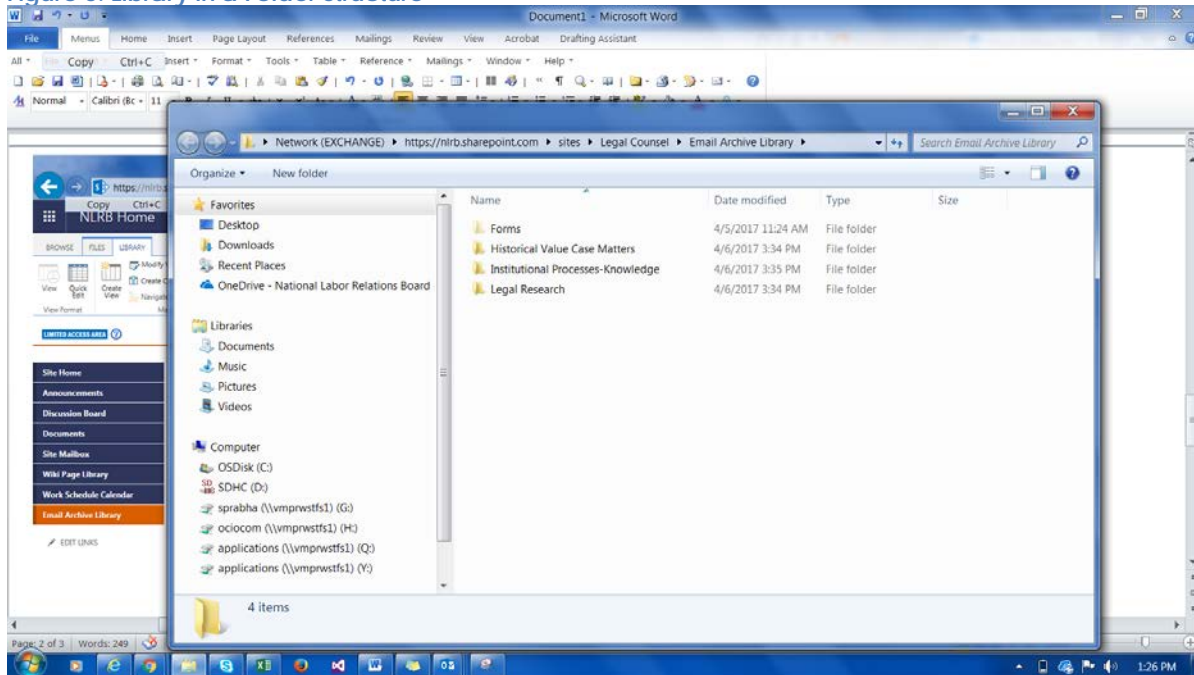
5. A list of additional options will appear in the toolbar/ribbon. In the toolbar/ribbon click the option **Open with Explorer** icon in the **Connect & Export** group (see Figure 4. Open in Explorer).

Figure 4. Open in Explorer



6. SharePoint will open the library in a network-type folder structure (Explorer View) that one may use to move the files in bulk, or manage the files and subfolders as if on one's local computer (see Figure 5. Library in a Folder Structure).

Figure 5. Library in a Folder Structure



You can now move your emails from Outlook into the three folders by dragging them over. If you make an error, i.e., you place an email in the wrong folder and/or you decide that you no longer wish to retain the email, you can delete that email from the folder. You may also drag/move emails between the folders.

**From:** [Aburvasamy, Prem](#)  
**To:** [ML-NLRB-Everyone \(R\)](#)  
**Subject:** Implementation of E-Mail Archiving Policy: 15-Day Notice  
**Date:** Tuesday, May 16, 2017 10:20:00 AM

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All,

This is a reminder that the Agency's e-mail archiving policy ("Capstone") will be fully implemented on Thursday, June 1, 2017.

Under the Capstone policy, the Agency will permanently retain all e-mail messages of certain designated "Capstone Officials," who are the senior policymakers in the Agency. For all other Agency e-mail account users, messages will be retained for seven years. **E-mail records that are older than seven years will be deleted effective June 1, 2017.** E-mail messages will be deleted daily on an ongoing basis as they age beyond the seven-year retention period.

For those limited agency emails older than seven years that an employee wishes to retain as historical records, see the email with the attached memorandum dated May 1, 2017, with instructions for moving those to the SharePoint Email Archive Library for that particular employee's office.

To the extent that employees may want to keep personal e-mail messages that are in their Agency accounts, please be aware that the Agency does not have the tools to support personal e-mail retention. The only option available to employees is to forward personal e-mail messages that they may want to keep to a personal e-mail account.

More information may be found by clicking here: [Email Retention Policies – Capstone Approach](#)

Thank you.  
Prem

Prem Aburvasamy | Chief Information Officer  
National Labor Relations Board (NLRB)  
1015 Half Street SE | Washington, DC 20570  
[prem.aburvasamy@nlrb.gov](mailto:prem.aburvasamy@nlrb.gov) | 202-273-3925

**From:** [Aburvasamy, Prem](#)  
**To:** [ML-NLRB-Everyone \(R\)](#)  
**Subject:** RE: Implementation of E-Mail Archiving Policy: Reminder  
**Date:** Thursday, May 25, 2017 8:58:08 AM

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All,

This is a reminder that the Agency's e-mail archiving policy ("Capstone") will be fully implemented on Thursday, June 1, 2017.

Under the Capstone policy, the Agency will permanently retain all e-mail messages of certain designated "Capstone Officials," who are the senior policymakers in the Agency. For all other Agency e-mail account users, messages will be retained for seven years. **E-mail records that are older than seven years will be deleted effective June 1, 2017.** E-mail messages will be deleted daily on an ongoing basis as they age beyond the seven-year retention period.

For those limited agency emails older than seven years that an employee wishes to retain as historical records, see the email with the attached memorandum dated May 1, 2017, with instructions for moving those to the SharePoint Email Archive Library for that particular employee's office.

To the extent that employees may want to keep personal e-mail messages that are in their Agency accounts, please be aware that the Agency does not have the tools to support personal e-mail retention. The only option available to employees is to forward personal e-mail messages that they may want to keep to a personal e-mail account.

More information may be found by clicking here: [Email Retention Policies – Capstone Approach](#)

Thank you.  
Prem

Prem Aburvasamy | Chief Information Officer  
National Labor Relations Board (NLRB)  
1015 Half Street SE | Washington, DC 20570  
[prem.aburvasamy@nlrb.gov](mailto:prem.aburvasamy@nlrb.gov) | 202-273-3925

**From:** [Aburvasamy, Prem](#)  
**To:** [ML-NLRB-Everyone \(R\)](#)  
**Subject:** RE: Implementation of E-Mail Archiving Policy: Reminder! Reminder!  
**Date:** Tuesday, May 30, 2017 9:32:04 AM

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**Reminder! Reminder! Reminder!**

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**From:** Aburvasamy, Prem  
**Sent:** Thursday, May 25, 2017 8:58 AM  
**To:** ML-NLRB-Everyone (R) <ML-NLRB-Everyone@nlrb.gov>  
**Subject:** RE: Implementation of E-Mail Archiving Policy: Reminder

All,

This is a reminder that the Agency's e-mail archiving policy ("Capstone") will be fully implemented on Thursday, June 1, 2017.

Under the Capstone policy, the Agency will permanently retain all e-mail messages of certain designated "Capstone Officials," who are the senior policymakers in the Agency. For all other Agency e-mail account users, messages will be retained for seven years. **E-mail records that are older than seven years will be deleted effective June 1, 2017.** E-mail messages will be deleted daily on an ongoing basis as they age beyond the seven-year retention period.

For those limited agency emails older than seven years that an employee wishes to retain as historical records, see the email with the attached memorandum dated May 1, 2017, with instructions for moving those to the SharePoint Email Archive Library for that particular employee's office.

To the extent that employees may want to keep personal e-mail messages that are in their Agency accounts, please be aware that the Agency does not have the tools to support personal e-mail retention. The only option available to employees is to forward personal e-mail messages that they may want to keep to a personal e-mail account.

More information may be found by clicking here: [Email Retention Policies – Capstone Approach](#)

Thank you.  
Prem

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**From:** [Aburvasamy, Prem](#)  
**To:** [ML-NLRB-Everyone \(R\)](#)  
**Subject:** Capstone Reminder Guidance – New Agency Email Retention Policies  
**Date:** Thursday, July 6, 2017 9:14:27 AM  
**Attachments:** [Capstone Reminder Memo Final 7-6-17.pdf](#)

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All,

This message is a reminder of the NLRB's data management practices following the June 1<sup>st</sup> implementation of the Capstone email retention policy. Specifically, this message is to remind all Agency employees that emails are to be retained in appropriate and identified Agency electronic systems that support records management and litigation requirements including the ability to identify, retrieve, and retain the records for as long as they are needed.

Please read the attached Memo for additional information.

Thanks.

Prem

Prem Aburvasamy | Chief Information Officer  
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**UNITED STATES GOVERNMENT**  
**National Labor Relations Board**  
**Office of the General Counsel**



**MEMORANDUM**

DATE: July 6, 2017

TO: All Employees

FROM: Prem Aburvasamy, Chief Information Officer  
Kenneth Williams, Records Officer  
David Gaston, Branch Chief, E-Litigation Branch

SUBJECT: Capstone Reminder Guidance – New Agency Email Retention Policies

This message is a reminder of the NLRB's data management practices following the June 1<sup>st</sup> implementation of the Capstone email retention policy. Specifically, this message is to remind all Agency employees that emails are to be retained in appropriate and identified Agency electronic systems that support records management and litigation requirements including the ability to identify, retrieve, and retain the records for as long as they are needed. The following electronic systems are approved for the management of e-mails: (1) Outlook, (2) NxGen, (3) offices' new Email Archive Libraries,<sup>1</sup> and (4) systems where emails are kept as official records (e.g., systems in use by Human Resources, Special Counsel, and the Inspector General).

Employees keeping Agency emails outside of these systems expose the Agency to risk. Unaccounted email *circumvents the effect of the Capstone email retention policy* and reduces the Agency's ability to accurately respond to outside requests for information. Additionally, Agency employees who retain emails outside of the approved systems above risk violating Agency cyber security standards. Notably, bulk storage of email messages necessarily implicates Personally Identifiable Information (PII) and Sensitive Personally Identifiable Information (SPII). Where such information is held off-system, Agency cyber security policies require additional actions by the user. For emails with PII and SPII, users may be required to take special steps that include: (1) installing NLRB-approved encryption software, (2) acquiring Agency-owned portable media, and/or (3) retaining Supervisor approval.

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<sup>1</sup> For instructions on the Email Archive Library, see the Capstone Memo that issued May 1, 2017 (also on Sharepoint).

**The relevant language from the Capstone memo is reproduced below. Please see the attached memo for the full explanation of the new e-mail management policy.**

To the extent that users have particular emails they wish to retain as historical records, instructions from management will be distributed shortly regarding the criteria for determining which emails may be retained, as well as where those emails may be retained outside of the Agency's email system. *Other than these limited email records, "non-Capstone" custodians are instructed to not remove Agency email records from the Agency's email system prior to policy implementation. For example, saving Agency email records beyond those which meet the criteria for longer retention to an external location negates and circumvents the effect of the new email retention policies.* Non-compliance with the "Capstone" policy will require expanded searches by the Agency to fully respond to FOIA requests, Congressional inquiries, and matters in litigation, creating additional costs and legal risk. Non-compliance also exposes the Agency to legal liability and possible sanctions for failing to comply with the Agency's published email retention standards.

**The Administrative Policies and Procedures Manual -- Protection of Sensitive Agency Information (Effective 7/31/2007) is found here:**

[https://nlrb.sharepoint.com/DofA/APProcedures%20Manual/appm\\_it-4\\_protection\\_of\\_sensitive\\_information.pdf](https://nlrb.sharepoint.com/DofA/APProcedures%20Manual/appm_it-4_protection_of_sensitive_information.pdf)